

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Huntington

Date: 10/16/2018

Case Number 3:15-cv-06424

Case Style: Knight vs. Boehringer Ingelheim Pharmaceuticals, Inc.

Type of hearing Civil Jury Trial

Before the honorable: 2514-Chambers

Court Reporter Kathy Swinhart

Courtroom Deputy Terry Justice

Attorney(s) for the Plaintiff or Government Andrew Childers, Neal Moskow, Russell Abney, Emily Acosta, Hunter Linville

Attorney(s) for the Defendant(s) Phyllis Jones, John Lewis, Gretchen Callas, Jessica Perez

Law Clerk Blake Weiner

Probation Officer

Trial Time

Jury Trial. Day No. 7

Non-Trial Time

Court Time

9:07 am to 10:31 am

10:44 am to 12:04 pm

1:17 pm to 2:30 pm

2:42 pm to 3:48 pm

3:59 pm to 4:03 pm

Total Court Time: 5 Hours 7 Minutes Court actively conducting trial proceedings/Contested proceedings

4:35 pm to 5:27 pm

Total Court Time: 0 Hours 52 Minutes Hearings on motions during trial

9:06 am to 9:07 am

3:48 pm to 3:59 pm

4:03 pm to 4:04 pm

4:31 pm to 4:35 pm

5:32 pm to 6:38 pm

Total Court Time: 1 Hours 23 Minutes Other proceedings during trial

Courtroom Notes

Court Reporter: Kathy Swinhart & Lisa Cook

Trial scheduled to commence: 9:00 am

Trial commenced: 9:06 am

Matters out of jury presence.

9:07 am Jury in.

Defendant's 3rd witness, George Crossley, M.D., sworn & examined.

Defendant's exhibit #9007B identified & admitted.

Plaintiffs' exhibit #2000D identified & admitted by Defendant.

Defendant's exhibit #9009B identified & admitted.

10:31 am Jury out. Recess.

10:44 am Jury in.

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Continued examination of Dr. Crossley.
Defendant's exhibit #9003 identified & admitted.
Plaintiffs' exhibit #2000C identified by Defendant & admitted.
Defendant's exhibit #9004A identified & admitted.
Defendant's exhibit #9008A identified & admitted.
Defendant's exhibit #9003B identified & admitted.
Defendant's exhibit #9005B identified & admitted.
Defendant's exhibit #5431 identified as a Treatise.
Defendant's exhibit #9002 identified & admitted.
Defendant's exhibit #9006A identified & admitted.
12:04 pm Jury out. Recess.

1:17 pm Jury in.
Continued examination of Dr. Crossley.
Defendant's exhibit #9027 identified by Plaintiffs.
2:30 pm Jury out. Recess.

2:42 pm Jury in.
Continued examination of Dr. Crossley.
Defendant's exhibit #9013A identified by Plaintiffs & admitted.
3:48 pm Jury out.
Matters out of jury presence.
3:59 pm Jury in.
Defendant rested.
Plaintiff rested.
4:03 pm Jury out.
Matters out of jury presence.
4:04 pm Recess.

4:31 pm Matters out of jury presence.
Defendant's exhibit #9009S admitted as to medical records but not as to the chart.
Defendant's exhibit #9003 will not be admitted and #9003C will be admitted.
4:35 pm Motion by Boehringer Ingelheim Pharmaceuticals, Inc. for Directed Verdict ECF No. #177 - granted in part and denied in part.
Motion by Boehringer Ingelheim Pharmaceuticals, Inc. for Directed Verdict ECF No. 178 - denied.
5:27 pm Recess.

5:32 pm Matters out of jury presence.
Jury instructions.
Adjourn: 6:38 pm